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IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY 8 D.C.  
05 NOV -7 AM 9:37  
THOMAS H. COUD  
CLERK U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

TRI-COUNTY CONVALESCENT  
HOME, INC., A TENNESSEE CORP.,  
AND SHILOH DRUG AND SPECIALITY  
STORE, INC., A TENNESSEE CORP.,  
AND HARRY L. PEELER, M.D., a  
resident of McNairy County, TN,

PLAINTIFFS,

v.

HP/PROPERTIES, INC., A  
GEORGIA CORPORATION,  
HP/MANAGEMENT GROUP, INC.,  
A GEORGIA CORPORATION,  
DOUGLAS K. MITTLEIDER, AND  
HP/THREE RIVERS, INC., A GEORGIA  
CORPORATION,

DEFENDANTS.

No. 1-04-1137

**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO AMEND  
SECOND AMENDED COMPLAINT FOR DECLARATORY JUDGMENT AND  
ANSWER TO COUNTERCLAIM OF DEFENDANTS AND COUNTER-PLAINTIFFS**

This matter came before the Court pursuant to Plaintiffs' Motion for Leave to Amend Second Amended Complaint for Declaratory Judgment and Answer to Counterclaim of Defendants and Counter-Plaintiffs.

If appearing from the record, the Plaintiffs' motion, the Memorandum filed in Support of the motion, and the Certificate of Consultation, that Plaintiffs' motion is well taken and that no party has objected the Plaintiffs' motion,

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IT IS, THEREFORE, ORDERED that the Plaintiffs, Tri-County Convalescent Home, Inc. and Shiloh Drug and Specialty Store, Inc., shall be granted leave of this Court to file its Third Amended Complaint for Declaratory Judgment.

ENTERED this the 4<sup>th</sup> day of November, 2005.

  
U. S. District Judge



## Notice of Distribution

This notice confirms a copy of the document docketed as number 51 in case 1:04-CV-01137 was distributed by fax, mail, or direct printing on November 8, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT